

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office OCT 03 2000

Returned to applicant for correction OCT 18 2000

Corrected application filed \_\_\_\_\_

Map filed NOV 01 2000

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The applicant **The Fowler Family Trust Agreement**, hereby makes application for permission to change the **Place of Use of a Portion** of water heretofore appropriated under **Claim No. 78 of the Truckee River Decree**, said Decree entered by District Court of the United States in and for the District of Nevada in that certain action entitled "**The United States of America, Plaintiff, vs. Orr Ditch Company, etal, Defendant**" in Equity Docket No. A-3

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1. The source of water is **Truckee River**
2. The amount of water to be changed **4.04 acre feet annually and a prorata share of diversion rate**
3. The water to be used for **As decree purposes**
4. The water heretofore permitted for **As decreed purposes**
5. The water is to be diverted at the following point **within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 31, T19N, R18E, MDM, at a pont from which the SE corner of said Section 31 bears S 62°04' E, a distance of 3,195 feet**
6. The existing permitted point of diversion is located within **see proposed point of diversion**
7. Proposed place of use **within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 18, T18N, R20E, MDM currently known as Washoe County Assessors Parcel No. 44-020-42 & 41**
8. Existing place of use **0.92 acres within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  and 0.09 acres within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 18, T18N, R20E, MDM currently known as Washoe County Assessors Parcel No. 162-171-02 also known as Parcel No. 44-041-02 on Truckee River Determination Map No. TR-003**
9. Use will be from **as Decreed** to **as Decreed** of each year.
10. Use was permitted from **as Decreed** to **as Decreed** of each year.
11. Description of proposed works **Utilize existing Steamboat Canal diverion dam and ditch system to transport water to proposed place of use**
12. Estimated cost of works **None – existing works**
13. Estimated time required to construct works **None – existing works**
14. Estimated time required to complete the application of water to beneficial use **3 years**

15. Remarks: **Refer to Truckee River Determination Map No. TR-003 for the Existing Place of Use.**

By **s/Michael D. Buschelman**  
**Michael D. Buschelman**  
**Post Office Box 51371**  
**Sparks, Nevada 89435**

Compared cmf/gkl lb /cmf

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 078 Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is limited to the irrigation of 1.01 acres within the described place of use.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.014 cubic feet per second, but not to exceed 4.04 acre-feet as decreed and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Water must be placed to beneficial use on or before:

September 13, 2005

Proof of the application of water to beneficial use shall be filed on or before:

October 13, 2005

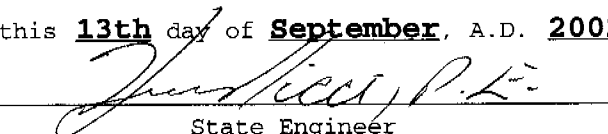
Map in support of proof of beneficial use shall be filed on or before:

October 13, 2005

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 13th day of September, A.D. 2002

  
State Engineer

Completion of work filed N/A

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_